

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN WAYS, JR., a/k/a John Ways, II,  
a/k/a John Blacksteel,  
NKOSI, INC., a Nebraska corporation,  
FRANK FIROZ,  
CHRISTIAN FIROZ,  
RHONDA DECAMP,  
CONSTANCE HAGELSTEIN, a/k/a Lilli,  
a/k/a Lili,  
JOSHUA WELLBORN,  
ALAN DAVIS,  
MARK COONEY,  
MICHAEL BLACKSTONE,  
DAVID ROBERTS, a/k/a Scooby, and  
JEANETTE BELK, a/k/a Sonja,

Defendants.

8:12CR391

ORDER

This matter is before the court on the motion for an extension of the pretrial motion deadline by defendants John Ways, Jr. (Ways) (Filing No. 208). The motion seeks a ninety day extension of the current pretrial motion deadline established during the Rule 17.1 conference and extended for a period of sixty days until September 18, 2013. Moving counsel represent that government's counsel has no objection to the motion. The court finds a ninety day extension is not warranted. The court will grant a forty-five day extension with a caution that **no further extensions of the pretrial motion deadline will be granted absent a showing by affidavit that the denial of any further request for an extension would cause a manifest injustice.** The pretrial motion deadline will be extended for all defendants in the case.

**IT IS ORDERED:**

1. The motion to extend (Filing No. 208) is granted to the extent that all defendants shall have to **on or before November 4, 2013.**
2. **ALL DEFENDANTS** are given until on or before November 4, 2013, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motions and outweigh the interests of the public and the defendants in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., the **time between September 20, 2013, and November 4, 2013**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 20th day of September, 2013.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge